REMARKS

Claims 1-9, 11-22, 24-73 and 75-123 were pending in the application, of which Claims 1, 13, 20, 27, 46, 58, 65, 77, 82, 85, 100, 106, and 113-118 are independent claims. Claims 27-45, 116, and 118 stand rejected under 35 U.S.C. § 112, first paragraph. Claims 1-9, 11-22, 24-73 and 75-123 stand rejected under 35 U.S.C. § 102(e). The prior amendment has also been objected to as introducing new matter into the application. In response, certain claims have been amended to correct clerical errors or to otherwise place the claims into better form. Certain claims have also been cancelled and new claims added to the application.

Objection to Prior Amendment

The Amendment filed on June 19, 2007 was objected to as being deemed to introduce new matter. In particular, the Office objected to the claim limitations to "a file having an image of a browser-rendered display." The objection is traversed.

The Office Action states that the disclosure does not support the above limitations in Claims 27, 116, and 118. According to the Office Action, the disclosure "merely teaches a 'COPY' of the source code and a 'COPY' of the rendered display (ie snap shot, image)" and "does not teach the saved source code file rendering the images for display." First, support for the claim limitations can be found at least on page 16, lines 10-13 and page 17, lines 3-4 and 6-7 of the application as originally filed. Second, the Applicant notes that a copy of a file is still "a file" as claimed.

Finally, while the images for display could be rendered by the saved source code file, if stored in an appropriate format and executed by a compatible browser, that embodiment was not meant to be claimed. Instead, the instructions in a source code file at the web server are executed by browser code to yield a rendered display image, which is then stored in a file along with a source code file. It is believed that the clarifying amendments to the claims obviate the objections.

Reconsideration and withdrawal of the objection is respectfully requested.

<div align="center">*Rejection of Claims Under Section 112*</div>

Claims 27-45, 116, and 118 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. These rejections are based on the claim limitations to "a file having an image of a browser-rendered display." The rejections are traversed.

As discussed above, the Specification and Drawings provide written description to support the claimed limitations, as amended.

Reconsideration of the rejections under 35 U.S.C. § 112 is respectfully requested.

<div align="center">*Rejection of Claims Under Section 102*</div>

Claims 1-9, 11-22, 24-73 and 75-123 were rejected under 35 U.S.C. § 102(e) as being deemed anticipated by Burner et al. (U.S. 6,282,548). Those rejections are traversed.

For there to be a valid rejection under Section 102, a single reference must fully anticipate all limitations recited in the rejected claim. The burden for establishing anticipation is with the Office. As will be discussed in detail, Burner does not anticipate every claim limitation, even in the independent claims, and thus the rejections under Section 102 are improper.

While the Applicant's claimed invention and Burner have been previously discussed, it may be helpful to summarize the distinctions. Deficiencies identified by the Applicant in the prior art include that (1) Internet content is not archived in its originally displayed form for future retrieval, and (2) meaningful data related to the original content is lost over time. Burner suffers from the same deficiencies.

Briefly, Burner discusses a system where websites are crawled and web pages are collected. Those web pages are stored on a computer in a file directory structure based on the URL of the web page. In particular, the HTML web page crawled from the Intenet at the URL *http://www.nytimes.com/index.html* would be stored in the archive at a location specified by the URL *http://www.alexa.com/archive/www.nytimes.com/index.html*. Each stored web page is then mined for metadata and that metadata is stored on a database server based on the web page's URL. Once a web page is mined for metadata, it could be deleted from the file structure.

Instead of deleting the files after mining, Burner identifies two occasions when the stored web page could still be useful: (1) when the browser attempts to access a URL that does not

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return a web page from the Internet, and (2) when the browser is directed to a URL that results in a slow response. In either of those situations, Burner can retrieve the stored web page from file storage using the URL. That is, the user could elect to access the New York Times home page from the file directory at *http://www.alexa.com/archive/www.nytimes.com/index.html.* It should be understood that the files stored in the directory structure are merely the last web page for each URL retrieved by the web crawler.

While Burner does discuss a secondary storage for archiving older copies of web pages, that is described as an automated digital tape cartridge drive library. As best understood, Burner periodically transfers the contents of the archive directory onto tape storage and notes the date of the transfer. A web page from a particular date can then be retrieved from the tape library by retrieving the HTML file from the tape that best matches the desired date. Such a system was discussed in prior Office Actions and Responses, and Burner adds nothing. In fact, because metadata would seem to be slow changing, any web page files stored by Burner may not be very useful for one looking to retrieve content.

In either case, Burner does not mention website content other than HTML pages. As a result, a browser retrieving a web page from storage would display embedded content such as text, but not necessarily inline references, such as image files. The browser would expect to locate those references within the directory path, but would be unsuccessful unless the entire website was archived. Retrieving off-site references would be even more troubling to Burner.

In contrast to Burner, the Applicant claims a system that stores an archived original content file as well as a file having a browser-rendered view of the web pages. By storing rendered views of the executed instructions (such as in a PDF file format), a researcher can view the web site as it existed when archived, including rendered images and off-site content. Again, the browser-rendered view is stored as an image file, and thus is a structural element of the claim and not an intended use.

The subject application also recognizes that it may be important in the future to be able to identify those responsible for posting the original content, even after ownership of a domain name has changed hands or expired. A technique is thus described that can store identifying information about a content provider in association with the content. That information can include domain registry information. In particular, that domain registry information is stored as

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provided by its registrar at the time of archiving. Furthermore, the registry information as well as the source file and rendered file are time stamped in the database.

The archived information from the source file and the registry information are also indexed so that the content itself is searchable within the archive. Content from the files that matches the search criteria can then be retrieved with the associated information about the content provider. This feature can be particularly useful when the content is no longer publicly available via the Internet (e.g. the web site no longer exists or the content has been deleted).

Each independent claim recites at least one limitation that is neither disclosed nor suggested by Burner. The following discussion details the distinctions.

Archived Image File of a Browser-Rendered Display

Independent Claims 27, 58, 85, 106, 116, and 118 recite limitations to archiving a file having an image of a browser-rendered display. In particular:

- Claim 27 is a system claim that recites "a file having an image of a browser-rendered display generated by a web browser as instructed by the instructions in the source code file."

- Claim 58 is a user interface claim that recites "a file having an image of a browser-rendered display generated by a web browser as instructed by the instructions in the source code file."

- Claim 85 is a method claim having limitations analogous to those recited in Claim 27.

- Claim 106 is a method claim having limitations analogous to those recited in Claim 58.

- Claim 116 is an article of manufacture claim having limitations analogous to those recited in Claims 27 and 85.

- Claim 118 is an article of manufacture claim having limitations analogous to those recited in Claims 58 and 106.

As discussed above, Burner merely stores web page files in a directory structure. While those web page files can be retrieved at a later date, a browser must still open the web page files and execute the instructions to render a viewable web page. For the web page code to correctly render a view, the web page file must be opened by a compatible browser and the browser must

be able to execute the instructions. While there may be compatibility issues in the future, even a contemporaneous rendering of a stored web page may fail if links are not properly resolved.

The Applicant solves those two problems by rendering the web pages when they are retrieved from the native web site, at a time when all links can be properly resolved. Those rendered views are then stored as an image file in the archive. With the aid of the database structure, a researcher can simply access the image files to view the web page as it was originally rendered, without having to execute browser instructions.

Burner does not disclose or suggest any structure or method related to archiving files having an image of a browser-rendered display, as claimed by the Applicant.

Archived Ownership/Registration Information

Independent Claim 1, 20, 27, 46, 58, 65, 82, 85, 100, 106, 113, 115, 116, 117, and 118 recite limitations that relate to the archiving of ownership or registration information. In particular:

- Claim 1 is a system claim that recites "archived Internet domain name registration information related to a content provider associated with the electronic address at the specified time."
- Claim 20 is a system claim that recites "a registration retrieval mechanism ... for retrieving registration content ... and storing the retrieved content in the data warehouse over time" and "a mechanism for associating the stored registration content with a respective time stamp ...."
- Claim 27 is a system claim that recites "information stored in the data warehouse including ... a record of ownership registration data."
- Claim 46 is a system claim that recites "a mechanism that stores, for each identified content provider, each version of the ownership information in association with a time stamp in a data archive for later retrieval."
- Claim 58 is a system claim that recites "searchable information stored in the data archive including .. a record of Internet domain name registration data associated with the content provider."
- Claim 65 is a method claim having limitations analogous to those recited in Claim 1.
- Claim 82 is a method claim having limitations analogous to those recited in Claim 20.

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- Claim 85 is a method claim having limitations analogous to those recited in Claim 27.

- Claim 100 is a method claim having limitations analogous to those recited in Claim 46.

- Claim 106 is a method claim having limitations analogous to those recited in Claim 58.

- Claim 113 is an article of manufacture claim having limitations analogous to those recited in Claims 1 and 65.

- Claim 115 is an article of manufacture claim having limitations analogous to those recited in Claims 20 and 82.

- Claim 116 is an article of manufacture claim having limitations analogous to those recited in Claims 27 and 85.

- Claim 117 is an article of manufacture claim having limitations analogous to those recited in Claims 46 and 100.

- Claim 118 is an article of manufacture claim having limitations analogous to those recited in Claims 58 and 106.

While Burner does mention that "the name of the owner/registrant of a web site" can be included in the metadata (col. 16, ll. 18-19), Burner discusses a system for displaying metadata concurrently with a web page. The system uses a standard browser and does not require modifications to the HTML code for the web page being viewed. When a user views a web page via a browser, client software separate from the browser obtains metadata about the page (or its web site) for viewing by the user. While the web page can be retrieved from its web server, the metadata is retrieved from a database server. The database server is coupled to a database containing metadata and a database containing an archive of web pages.

Unlike web pages, which can be archived, metadata related to the web site is apparently not archived. Instead only one version of the metadata information is created (the current version). For example, the ownership metadata would identify the current owner of a web site, not necessarily the contemporaneous owner of an archived web site.

In contrast, the Applicant claims a system where ownership information and Internet domain name registration data is archived in association with content files. The association

between the ownership information and the content files is maintained by the database. No such structure exists in Burner.

Burner does not disclose or suggest a structure or method for archiving ownership or registration data, as claimed by the Applicant.

Searchable Electronic Index

Independent Claims 1, 13, 20, 58, 65, 77, 82, 106, 113, 114, 115 and 118 recite limitations to a searchable electronic index. In particular:

- Claim 1 is a system claim that recites "a searchable electronic index of original content stored in the archived original content file," "a query engine in communication with the electronic index" for "desired content having a match to original content stored in the archived original content file," and presenting to the user "archived Internet domain name registration information" which is related to "a content provider associated with the electronic address" at a specified time.

- Claim 13 is a system claim that recites "a searchable electronic index of the archived original content file" and "a query engine in communication with the electronic index."

- Claim 20 is a system claim that recites "a searchable electronic index of the registration content stored in the data warehouse."

- Claim 58 is a system claim that recites "searchable information stored in the data archive including … a record of Internet domain name registration data … a source code file …a file having an image of a browser-rendered display …" and "a query interface to solicit information related to the searchable information and a specified time."

- Claim 65 is a method claim having limitations analogous to those recited in Claim 1.

- Claim 77 is a method claim having limitations analogous to those recited in Claim 13.

- Claim 82 is a method claim having limitations analogous to those recited in Claim 20.

- Claim 106 is a method claim having limitations analogous to those recited in Claim 58.

- Claim 113 is an article of manufacture claim having limitations analogous to those recited in Claims 1 and 65.

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- Claim 114 is an article of manufacture claim having limitations analogous to those recited in Claims 13 and 77.
- Claim 115 is an article of manufacture claim having limitations analogous to those recited in Claims 20 and 82.
- Claim 118 is an article of manufacture claim having limitations analogous to those recited in Claims 58 and 106.

First, the Burner system is URL driven and not content driven. That is, all information is retrieved by referencing a URL. In the example used by Burner, a user enters a URL (e.g. *www.nytimes.com/*) into a web browser. While the web browser is accessing the URL, which is the current version of the page on the Internet, a client program uses the entered URL to request metadata from a database server.

While Burner also discusses an archive, Burner merely stores a copy of HTML files that were selected by a web crawler. Those stored HTML files are later mined for metadata that then becomes associated with the URL. Burner makes no suggestion of indexing the content of the stored HTML files. Nor is Burner concerned with the freshness of the stored HTML files because the metadata is less likely to change than the contents of the HTML file.

The Office seems to argue that entering the URL in Burner is the same as a text query. In that case, the Applicant would disagree. In Burner, the URL is be used to access a database field that points to the mined metadata. While that field could be defined in the database structure as a string field, the URL would not be used to search an index of file contents for a text match, as required by the Applicant's Claims. For example, the user's entry of "www.nytimes.com/" could be used to find the web page to which the entered URL currently resolves (probably "http://www.nytimes.com/index.html") and not to all archived web pages that include the string "www.nytimes.com/" embedded in the HTML (or other) code. The Applicant's claims recite the latter function.

The Office also argues that indexing is inherent in a database system. The Applicant disagrees because for there to be inherency, all databases must require an indexer to function as a database. The Applicant's position is that a database is merely a tool to relate records in an organized fashion and does not require an indexer to function. For example, a DOS-based directory structure can be considered a database (as it is by Burner) because the individual

database records can be accessed by traversing the structure. If the Office wishes to maintain the rejection based on inherency, evidence to support that assertion would be required.

While an indexer is not an inherent part of databases, indexers are well-known tools and are used in database systems. Indexers are often used in a database to process data so as to make data items easier to find in a database. There are various ways to index data, depending on the type of data, and the Applicant does not merely claim an indexer in combination with a database. Instead, the Applicant claims a searchable index of the content of files and uses that index in a unique and patentable system.

Burner does not disclose the indexing of even HTML files or a search engine. Nor is there a disclosed use of the Burner system that would benefit from indexing file contents or searching an index of file contents. Again, Burner provides data derived from a URL at a browser, not from a query entered into a search engine to retrieve matching file contents. Burner therefore does not anticipate the Applicant's claim limitations related to an electronic index as recited in the above-listed claims.

The Applicant's claims are not limited to indexing HTML files(or other website originating files). As recited in independent Claims 20, 58, 82, 106, 115, and 118, the Applicant also indexes the Internet domain name registration data and the file having an image of a browser-rendered display. While some domain name registration data (owner name) can be included in Burner's metadata, that data is not indexed. And Burner does not disclose or suggest files having an image of a browser-rendered display, so they cannot be indexed by Burner.

Furthermore, Burner does not disclose when the ownership/registrant name is retrieved and included in the metadata. However, Burner is quite explicit that the web pages are first archived and later mined for metadata. Again, the freshness of the web pages contents would not seem to be critical to mining metadata, especially registration data. That certainly suggests to the Applicant that the registrant's name was not retrieved "at the time the archived original content file was collected" as required by the Applicant's independent Claims 1, 65, and 113.

Burner does not disclose or suggest any structure or method related to the searchable electronic index claimed by the Applicant.

In summary, Burner does not disclose of suggest the limitations recited in any independent claim. In addition to the independent claims, the dependent claims add additional

patentable limitations. As such, all claims as amended are novel over and patentably distinguishable from Burner. Reconsideration of the rejections under 35 U.S.C. § 102(e) is respectfully requested.

<p align="center">New Claims</p>

New Claims 124-127 are added to the application as dependent claims. Support for the new claims can be found at least on page 16, lines 24-25. Entry and allowance of new claims 124-127 is respectfully requested.

<p align="center">CONCLUSION</p>

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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